IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

APPEAL NO.42 OF 2002

IN

CONTEMPT PETITION NO.22 OF 1998

IN

APPEAL NO.444 OF 1997

...

The Samasta Nagar Co.op.Bank Ltd. ...Appellant

v/s.

M/s.Hardik Investments Pvt.Ltd. and ors. ...Respondents

...

Mr.S.C.Naidu i/b M/s.C.R.Naidu & Co. for the Appellant.

Mr.D.D.Madon i/b Shruti Desai & Co. for the Respondents.

...

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 13TH SEPTEMBER, 2007

P.C.:

1. This Appeal is directed against the order dated 1st October, 2001 passed by the learned single Judge of this Court in Contempt Petition No.22 of 1998. By that petition, an allegation was made that the Respondents are guilty of committing civil contempt of this court. The learned single Judge has rejected that petition.

2. It is clear from the provisions of Section 19 of the Contempt of Court Act 1971 that Appeal does not lie against the order of the learned single Judge rejecting the contempt petition. This position is made clear by the judgment of the Supreme Court in the case of State of Maharashtra v/s. Mahboob S. Allibhoy and anr., AIR 1996 SC 2131.

3. Appeal is, therefore, disposed of.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)